

REED SMITH LLP  
A limited liability partnership formed in the State of Delaware

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Attorneys for Defendants  
RICON CORP. and WESTINGHOUSE AIR  
BRAKE TECHNOLOGIES CORPORATION  
dba VAPOR BUS INTERNATIONAL

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

LIFT-U, A DIVISION OF HOGAN MFG., INC.,  
a California corporation,

Plaintiff,

vs.

RICON CORP., a California corporation, and  
WESTINGHOUSE AIR BRAKE  
TECHNOLOGIES CORPORATION dba  
VAPOR BUS INTERNATIONAL, a Delaware  
Corporation,

Defendants.

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Attorneys for Plaintiff/Counter-Defendant  
LIFT-U, A DIVISION OF HOGAN MFG.,  
INC.

No.: C 10-01850-LHK (HRL)

**STIPULATION AND ~~PROPOSED~~  
ORDER SELECTING ADR PROCESS**

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

Non-binding Arbitration (ADR L.R. 4)

Early Neutral Evaluation (ENE) (ADR L.R. 5)

**X Mediation (ADR L.R. 6): Concurrent with this filing, the parties are submitting a list of five mutually-agreeable mediators from the Court's ADR Panel to the ADR Program.**

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

Private Process:

Private ADR *(please identify process and provider):*

The parties agree to hold the ADR session by:

the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

**X other requested deadline: The parties agree to hold the ADR session not later than 45 days following service of Defendants' Patent Local Rule 3-3 Invalidity Contentions.**

IT IS SO STIPULATED.

Dated: August 6, 2010.

LARIVIERE, GRUBMAN & PAYNE, LLP

REED SMITH LLP

By: /s/ Scott J. Allen \*

Scott J. Allen

Attorneys for Plaintiff

LIFT-U, A DIVISION OF HOGAN MFG., INC.

By: /s/ James A. Daire

James A. Daire

Attorneys for Defendants

RICON CORP. and WESTINGHOUSE AIR  
BRAKE TECHNOLOGIES CORPORATION  
dba VAPOR BUS INTERNATIONAL

*\*Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, James A. Daire hereby attests that concurrence in the filing of this document has been obtained.*

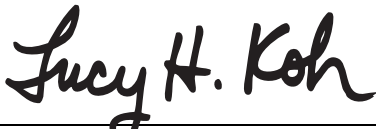
**~~PROPOSED~~ ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to: Court-appointed mediation.

Deadline for ADR session: The parties agree to hold the ADR session not later than 45 days following service of Defendants' Patent Local Rule 3-3 Invalidity Contentions.

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: August 11, 2010.



Hon. Lucy H. Koh  
United States District Court Judge

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